

Calif., etc.; to the Committee on World War Veterans' Legislation.

11042. By Mrs. ROGERS of Massachusetts: Petition of the General Court of the Commonwealth of Massachusetts, opposing certain pending legislation relative to price fixing of coal; to the Committee on Ways and Means.

11043. By Mr. WIGGLESWORTH: Petition of the Senate of Massachusetts, memorializing Congress in opposition to certain pending legislation relative to price fixing of coal; to the Committee on Ways and Means.

11044. By the SPEAKER: Petition of the National Association for the Advancement of Colored People, Newark branch; to the Committee on the Judiciary.

11045. Also, petition of the city of Springfield, Ill.; to the Committee on Banking and Currency.

11046. Also, petition of the Federal Labor Union, Local No. 19367; to the Committee on Banking and Currency.

11047. Also, petition of the city of Milwaukee, Wis.; to the Committee on Education.

## SENATE

THURSDAY, JUNE 4, 1936

(Legislative day of Monday, June 1, 1936)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

### RECESS

Mr. ROBINSON. I move that the Senate take a recess until called to order by the Chair.

The motion was agreed to; and the Senate took a recess subject to the call of the Vice President.

At 11 o'clock and 45 minutes a. m., having been called to order by the Vice President, the Senate reassembled.

### DEATH OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES— MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, communicated to the Senate the intelligence of the death of Hon. JOSEPH W. BYRNS, of Tennessee, late Speaker of the House of Representatives, and transmitted the resolutions of the House thereon.

The message also informed the Senate that Hon. WILLIAM B. BANKHEAD, a Representative from the State of Alabama, was today elected Speaker of the House of Representatives.

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The legislative clerk read as follows:

House Resolution 544

IN THE HOUSE OF REPRESENTATIVES,  
June 4, 1936.

*Resolved*, That the House has learned with profound sensibility and sorrow of the death of Hon. JOSEPH W. BYRNS, Speaker of the House of Representatives for the Seventy-fourth Congress.

*Resolved*, That a committee of four Members of the House be appointed to take order for superintending the funeral of Mr. BYRNS in the House of Representatives at such time as the said committee shall fix.

*Resolved*, That as a further mark of respect the remains of Mr. BYRNS be removed from Washington to Nashville, Tenn., in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved*, That a committee of 60 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral at Nashville, Tenn.

*Resolved*, That, as a further mark of respect, this House do now adjourn to such time on tomorrow, June 5, 1936, as the Speaker shall fix.

Mr. McKELLAR. Mr. President, I send to the desk resolutions which I ask to have read and immediately considered.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 318) were read, considered by unanimous consent, and unanimously agreed to, as follows:

### Senate Resolution 318

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOSEPH W. BYRNS, late Speaker of the House of Representatives.

*Resolved*, That a committee of two Senators be appointed by the Vice President to join the committee appointed by the House of Representatives to take order for superintending the funeral of the deceased, and that a committee of 14 Senators be appointed by the Vice President to join the committee on the part of the House to attend the funeral of the deceased at Nashville, Tenn.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The VICE PRESIDENT. Under the second resolution the Chair appoints as the committee on the part of the Senate to take order for superintending the funeral of the deceased the Senators from Tennessee, Mr. McKELLAR and Mr. BACHMAN.

The Chair will subsequently appoint the committee to attend the funeral of the deceased at Nashville, Tenn.

Mr. McKELLAR. Mr. President, as a further mark of respect to the memory of the late Speaker of the House of Representatives, I move that the Senate do now take a recess until tomorrow at 11:30 o'clock a. m.

The motion was unanimously agreed to; and (at 11 o'clock and 50 minutes a. m.) the Senate took a recess until tomorrow, Friday, June 5, 1936, at 11:30 o'clock a. m.

## HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 4, 1936

The House was called to order at 11 o'clock a. m. by Hon. South Trimble, Clerk of the House.

The CLERK. Gentlemen of the House of Representatives, it becomes my sad and painful duty to announce to the House the sudden death of your beloved Speaker, the Honorable JOSEPH W. BYRNS, a Representative from the State of Tennessee.

Speaker BYRNS presided over the House on yesterday, presumably in his accustomed good health, but shortly after his arrival at his apartment he was stricken and soon thereafter passed away. In his death this House has suffered the loss of an able, fair, and impartial presiding officer; the country a legislator of long experience, a statesman of courage and marked ability; and his State of Tennessee a noteworthy citizen.

The duty of selecting one to preside over the deliberations of the House now rests upon you.

Mr. O'CONNOR. Mr. Clerk, in view of the unfortunate circumstance in which we find ourselves, and with no disrespect to our beloved Speaker who has left us, it becomes necessary, in order that the House may function and the machinery of government may not stop, that the House proceed to the election of a Speaker.

I present the following resolution and move its adoption.

The Clerk read as follows:

House Resolution 543

*Resolved*, That Hon. WILLIAM B. BANKHEAD, a Representative from the State of Alabama, be, and he is hereby, elected Speaker of the House of Representatives.

*Resolved*, That the President and the Senate be notified by the Clerk of the election of Hon. WILLIAM B. BANKHEAD as Speaker of the House of Representatives.

The CLERK. The question is on agreeing to the resolution. The resolution was agreed to.

A motion to reconsider was laid on the table.

The CLERK. The Clerk appoints the gentleman from New York [Mr. O'CONNOR], the gentleman from New York [Mr. SNELL], and the gentleman from Colorado [Mr. TAYLOR] to escort the gentleman from Alabama [Mr. BANKHEAD] to the chair.

The committee escorted Mr. BANKHEAD into the Chamber, and he assumed the chair. The oath of office was administered to the Speaker-elect by Mr. SABATH.

The SPEAKER. Prayer will be offered by the Reverend Allen A. Stockdale, formerly pastor of the First Congregational Church, Washington, D. C.

Rev. Allen A. Stockdale, D. D., formerly pastor, First Congregational Church, Washington, D. C., offered the following prayer:

Sunset and evening star,  
And one clear call for me!  
And may there be no moaning of the bar,  
When I put out to sea.

But such a tide as moving seems asleep,  
Too full for sound and foam,  
When that which drew from out the boundless deep  
Turns again home.

Twilight and evening bell,  
And after that the dark!  
And may there be no sadness of farewell,  
When I embark.

For though from out our bourne of time and place  
The flood may bear me far,  
I hope to see my Pilot face to face  
When I have crossed the bar.

Gracious Father of all men, Thou who dost understand the mysteries too deep for human understanding and the problems too big for the mastery of men, look down upon us this morning as we sit in the shadows of an unexpected providence of death. Master the fear in our trembling hearts and comfort our disturbed souls. By Thy gracious fatherly spirit we acknowledge the weakness of man's body as we accept the certainty of the immortality of his soul.

As children go to their parents with broken toys, disturbed plans, and bruised fingers, so we, Thy children, not yet grown up, come to Thee with the interrupted plans of our days and the disturbed procedures of our lives.

Let Thy gracious comfort come to us as we are subdued by the thoughts and feelings that come from the sudden death of our beloved Speaker. Bend Thine ear to the silent tributes of love and friendship. Increase our courage and faith to do the unfinished tasks of our day.

Be near to the wife and loved ones, who mourn the sudden passing of one held so dear. Help us to know that in the midst of life we are in death, and may our hope be firmly founded in a God that never fails and a life that never ends. Amen.

#### THE JOURNAL

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that the reading of the Journal be dispensed with, and that the Journal stand approved.

The SPEAKER. Without objection, it is so ordered. There was no objection.

#### PERMISSION OF HOUSE TO TAKE RECESS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution, which I send to the desk.

The Clerk read as follows:

#### House Resolution 538

*Resolved*, That during the remainder of the second session of the Seventy-fourth Congress it shall be in order for the majority leader or the chairman of the Committee on Rules to move that the House take a recess, and said motion is hereby made of the highest privilege; and it shall also be in order at any time during the remainder of the second session of the Seventy-fourth Congress to consider reports of the Committee on Rules, as provided in clause 45, rule XI, except that the provision requiring a two-thirds vote to consider

such reports is hereby suspended during the remainder of the second session of the Seventy-fourth Congress.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. O'CONNOR. Mr. Speaker, if I may be permitted to make an announcement, in view of the circumstances the special session to be held this evening on the Private and Consent Calendars will, of course, not be held.

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. McREYNOLDS].

Mr. McREYNOLDS. Mr. Speaker, I am about to offer what to me is the saddest resolution it has ever been my duty to offer on the floor of the House. It relates to the death of our very much beloved Speaker, JOE BYRNS.

I have been with him in every fight for years. I was by his side when he passed away, but could be of no assistance. JOE BYRNS was true and loyal to his friends. He loved the Members of this House, and they loved him. He always tried to be fair to both political parties and to all individuals. He was just in his rulings. The influence he exercised in this House was demonstrated many times. He went through one of the most trying times any Speaker of the House has ever had to face, and, in my opinion, when history is written he will go down as one of the great Speakers of this assembly.

In the passing of JOE BYRNS we not only lose him as a friend and as the Speaker but his death has left a vacancy in his district which cannot be filled. Not only will his constituents miss him but the Nation will miss his influence and wise advice. He was one of the leading sons of Tennessee, the only one who has graced the Speaker's chair for 100 years, and the people of his State today mourn his loss.

Mr. Speaker, I cannot say more at this time. I trust I may have the opportunity later of speaking in reference to the life, character, and public service of JOE BYRNS.

Mr. Speaker, I send the following resolution to the desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

#### House Resolution 544

*Resolved*, That the House has learned with profound sensibility and sorrow of the death of Hon. JOSEPH W. BYRNS, Speaker of the House of Representatives for the Seventy-fourth Congress.

*Resolved*, That a committee of four Members of the House be appointed to take order for superintending the funeral of Mr. BYRNS in the House of Representatives at such time as the said committee shall fix.

*Resolved*, That as a further mark of respect the remains of Mr. BYRNS be removed from Washington to Nashville, Tenn., in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved*, That a committee of 60 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral at Nashville, Tenn.

The SPEAKER. The question is on the adoption of the resolution.

The resolution was agreed to.

The SPEAKER. The Chair announces the appointment of the following committee of four under the resolution to superintend the order for the arrangement of the funeral: Mr. O'CONNOR, Mr. TAYLOR of Colorado, Mr. McREYNOLDS, and Mr. SNELL.

The Clerk will report the remainder of the resolution.

The Clerk read as follows:

*Resolved*, That, as a further mark of respect, this House do now adjourn to such time on tomorrow, June 5, 1936, as the Speaker shall fix.



The SPEAKER. The Chair desires to announce that the Chair will advise the press later in the afternoon of the time arranged for the funeral in the House of Representatives.

The question is on the adoption of the resolution.

The resolution was agreed to.

#### ADJOURNMENT

Accordingly (at 11 o'clock and 18 minutes a. m.) the House adjourned subject to the call of the Speaker.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

863. A letter from the Chairman of the Securities and Exchange Commission, transmitting another part of the Commission's study and investigation of the work, activities, personnel, and functions of protective and reorganization committees, in pursuance to section 211 of the Securities Exchange Act of 1934; to the Committee on Interstate and Foreign Commerce.

864. A letter from the Chairman of the Federal Trade Commission, transmitting the fourth report of the Federal Trade Commission, regarding the distribution and sale of milk and milk products, entitled "Report of Federal Trade Commission on Milk Market Regulation and Practices of Distributors in Relation to Margins, Costs, and Profits of Distributors in Boston, Baltimore, Cincinnati, and St. Louis" (H. Doc. No. 501); to the Committee on Interstate and Foreign Commerce and ordered to be printed, with illustrations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. NORTON: Committee on the District of Columbia. S. 4511. An act to amend section 641 of the Code of Law for the District of Columbia; without amendment (Rept. No. 2940). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. S. 4512. An act to amend section 641 of the Code of Law for the District of Columbia; with amendment (Rept. No. 2941). Referred to the Committee of the Whole House on the state of the Union.

Mr. FADDIS: Committee on Military Affairs. S. 4699. An act to provide a commissioned strength for the Corps of Engineers, United States Army, for the efficient performance of military and other statutory duties assigned to that corps; with amendment (Rept. No. 2942). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. House Joint Resolution 612. Joint resolution for the purpose of increasing and financing employment in the District of Columbia; without amendment (Rept. No. 2943). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. NORTON: Committee on the District of Columbia. H. R. 11695. A bill to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart; without amendment (Rept. No. 2944). Referred to the Committee of the Whole House.

## SENATE

FRIDAY, JUNE 5, 1936

(Legislative day of Monday, June 1, 1936)

The Senate met at 11:30 o'clock a. m., on the expiration of the recess.

#### MESSAGES FROM THE PRESIDENT OF THE UNITED STATES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following concurrent resolutions, in which it requested the concurrence of the Senate:

#### House Concurrent Resolution 53

*Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Monday, June 8, 1936, they stand adjourned until 12 o'clock meridian Monday, June 15, 1936.*

#### House Concurrent Resolution 54

*Resolved by the House of Representatives (the Senate concurring), That, notwithstanding any recesses of the Senate or House of Representatives or the adjournment of the second session of the Seventy-fourth Congress, the President of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized to sign any enrolled bills or joint resolutions duly passed by the two Houses and which have been examined by the Committee on Enrolled Bills of each House and found truly enrolled.*

The message also announced that the House had agreed to the following resolutions:

#### House Resolution 545

*Resolved, That the Clerk of the House is hereby directed to invite the Vice President and the Senate to attend the funeral of the late Speaker, the Honorable JOSEPH W. BYRNS, in the House of Representatives at 12 o'clock meridian on Friday, June 5, 1936.*

*Resolved, That invitations be extended to the President of the United States and the members of his Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard to attend the funeral in the Hall of the House of Representatives.*

#### FUNERAL OF THE LATE SPEAKER BYRNS

Mr. ROBINSON. Mr. President, I ask the Chair to lay before the Senate the resolution of the House of Representatives inviting the Senate to attend the funeral of the late Speaker BYRNS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution from the House of Representatives, which will be read.

The Chief Clerk read as follows:

#### House Resolution 545

*Resolved, That the Clerk of the House is hereby directed to invite the Vice President and the Senate to attend the funeral of the late Speaker, the Honorable JOSEPH W. BYRNS, in the House of Representatives at 12 o'clock meridian on Friday, June 5, 1936.*

*Resolved, That invitations be extended to the President of the United States and the members of his Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard to attend the funeral in the Hall of the House of Representatives.*

Mr. ROBINSON. I move that the Senate accept the invitation, and that at 11:50 a. m. the Senate proceed in a body to the Hall of the House of Representatives, and that at the conclusion of the services there it return to its Chamber.

The VICE PRESIDENT. Without objection, the motion of the Senator from Arkansas is agreed to.

#### COMMITTEE TO ATTEND THE FUNERAL OF THE LATE SPEAKER BYRNS AT NASHVILLE, TENN.

The VICE PRESIDENT, under the terms of Senate Resolution 318 (submitted by Mr. McKellar and unanimously agreed to yesterday), appointed as the committee on the part of the Senate to attend the funeral of the late Speaker JOSEPH W. BYRNS at Nashville, Tenn., Mr. McKellar, Mr. BACHMAN, Mr. ROBINSON, Mr. GUFFEY, Mr. CLARK, Mr. SHIPSTEAD, Mr. FRAZIER, Mr. DIETERICH, Mrs. CARAWAY, Mr. BURKE, Mr. MINTON, Mr. DUFFY, Mr. GIBSON, and Mr. O'MAHONEY.